



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 22 2015

OFFICE OF  
CIVIL RIGHTS

**Return Receipt Requested**

Certified Mail#: 7009 2820 0002 1759 1964

**In Reply Refer to:**

EPA File No.: 16D-15-R3

Philadelphia County Assistance Office  
South District Office  
1163 S. Broad Street  
Philadelphia, Pennsylvania 19147

**Re: Rejection and Referral of Administrative Complaint**

To Whom It May Concern:

On June 29, 2015, the U.S. Environmental Protection Agency (EPA), Office of Civil Rights (OCR), received an administrative complaint from a Philadelphia resident. The complaint alleged that one "Ms. Walers," an employee of the Philadelphia County Assistance Office who worked at the South District Office, discriminated against the complainant on the basis of his race, national origin, or disability status in violation of either Title VI of the Civil Rights Act of 1964 or Section 504 of the Rehabilitation Act of 1973, respectively. This violation allegedly occurred when Ms. Walers failed to assist the complainant in switching his health insurance policies so that he could receive treatment for his mental health condition.

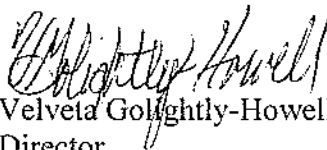
Pursuant to the EPA's nondiscrimination administrative regulations, OCR conducts a preliminary review of administrative complaints for acceptance, rejection, or referral to the appropriate Agency. *See* 40 Code of Federal Regulations (C.F.R.) § 7.120(d) (1). For a complaint to be accepted for investigation, it must meet the jurisdictional requirements described in the EPA's nondiscrimination regulations. First, the complaint must be in writing. *See* 40 C.F.R. § 7.120(b) (1). Second, the complaint must describe an alleged discriminatory act that, if true, may violate the EPA's nondiscrimination regulations (i.e., an alleged discriminatory act based on race, color, national origin, sex, age, or disability). *Id.* Third, the complaint must be filed within 180 calendar days of the alleged discriminatory act. *See* 40C.F.R. § 7.120(b) (2). Finally, the complaint must be filed against an applicant for, or a recipient of, the EPA's assistance that allegedly committed the discriminatory act. *See* 40 C.F.R. § 7.15.

The Philadelphia County Assistance Office is not an applicant for, or a recipient of, EPA assistance. Since the complaint did not describe discrimination by an applicant for, or recipient of, EPA assistance, it does not fall within the jurisdiction of the EPA. Thus, the OCR has determined that it must reject the complaint for investigation. *See* 40 C.F.R. § 7.15.

However, because the OCR has determined that the allegations described in the subject complaint, if substantiated as true, may constitute violations of federal anti-discrimination laws and because U.S. Department of Health and Human Services (HHS) may have subject-matter jurisdiction to investigate these allegations, the complaint is being referred to HHS for action deemed appropriate. Future contacts regarding it may be directed to:

Ms. Jocelyn Samuels, Director,  
Office for Civil Rights  
U.S. Department of Health and Human Services  
200 Independence Avenue, S.W., Room 509F  
Washington, D.C. 20201

Sincerely,

  
Velveta Golightly-Howell  
Director  
Office of Civil Rights

cc: Elise Packard  
Associate General Counsel  
Civil Rights & Finance Law Office  
(MC 2399A)

William Early  
Deputy Civil Rights Official  
U.S. EPA, Region III  
(MC 3DA00)